

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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SECURITIES INVESTOR PROTECTION :
CORPORATION, :
: Adv. Pro. No. 08-01789 (SMB)
Plaintiff, :
v. : SIPA LIQUIDATION
: (Substantively Consolidated)
BERNARD L. MADOFF INVESTMENT :
SECURITIES LLC, :
: Defendant.
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In re :
: Debtor.
: X
:
IRVING H. PICARD, Trustee for the : Adv. Pro. No. 10-04354 (SMB)
Liquidation of Bernard L. Madoff Investment :
Securities LLC., :
: Plaintiff,
: v.
: FITERMAN INVESTMENT FUND; :
VERDEWAY INVESTMENT PARTNERS :
LLC; STEVEN FITERMAN, individually, and :
in his capacity as General Partner of :
FITERMAN INVESTMENT FUND; SUSAN :
FITERMAN, individually, and in her capacity :
as General Partner of FITERMAN :
INVESTMENT FUND; STEVEN C. :
FITERMAN LIVING TRUST DATED 1/6/95, :
AS AMENDED; SUSAN L. FITERMAN :
LIVING TRUST DATED 1/6/95, AS :
AMENDED, :
: Defendants.
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NOTICE OF SUBSTITUTION OF COUNSEL AND PROPOSED ORDER

PLEASE TAKE NOTICE that the law firm of Loeb & Loeb LLP, 345 Park Avenue, New York, NY 10154, shall be substituted in place of the law firms of Robins, Kaplan, Miller & Ciresi LLP, 800 LaSalle Avenue, Suite 2800, Minneapolis, MN 55402, and Jones & Schwartz P.C., One Old Country Road, Suite 384, Carle Place, NY 11514, as counsel of record for defendants Fiterman Investment Fund; Verdeway Investment Partners LLC; Steven Fiterman; Susan Fiterman; Steven C. Fiterman Living Trust Dated 1/6/95, as amended; and Susan L. Fiterman Living Trust dated 1/6/95, as amended (the "Defendants") in this adversary proceeding. All notices given or required to be given in this adversary proceeding shall be given to and served upon the following:

LOEB & LOEB LLP
345 Park Avenue
New York, New York 10154
Attn: P. Gregory Schwed
Daniel B. Besikof
Telephone: (212) 407-4000
Facsimile: (212) 407-4990
E-mail: gschwed@loeb.com
dbesikof@loeb.com

PLEASE TAKE FURTHER NOTICE that the Defendants have knowledge of and consent to this substitution of counsel.

[SIGNATURES TO FOLLOW ON NEXT PAGE]

Dated: April 12, 2014
Minneapolis, Minnesota

ROBINS, KAPLAN, MILLER & CIRESI LLP LOEB & LOEB LLP
JONES & SCHWARTZ P.C.

By: /s/ Thomas B. Hatch
Michael V. Ciresi
Thomas B. Hatch
Damien A. Riehl
800 LaSalle Avenue
Suite 2800
Minneapolis, Minnesota 55402
Tel: (612) 349-8500
Fax: (612) 339-4181
E-mail: mvciresi@rkmc.com
tbhatch@rkmc.com
dariehl@rkmc.com

Dated: April 12, 2014
New York, New York

By: /s/ Daniel B. Besikof
P. Gregory Schwed
Daniel B. Besikof
345 Park Avenue
New York, New York 10154
Tel: (212) 407-4000
Fax: (212) 407-4990
E-mail: gschwed@loeb.com
dbesikof@loeb.com

Dated: April 12, 2014
Carle Place, New York

JONES & SCHWARTZ P.C.

By: /s/ Harold D. Jones
Harold D. Jones
One Old Country Road
Suite 384
Carle Place, New York 11514
Tel: 516-873-8700
Fax: (516) 873-8711
E-mail: hjones@jonesschwartz.com

Dated: New York, New York,
_____, 2014

IT IS SO ORDERED:

HON. STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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SECURITIES INVESTOR PROTECTION
CORPORATION,

: Adv. Pro. No. 08-01789 (SMB)

Plaintiff,

V.

IV. : SIPA LIQUIDATION

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

• (Substantively Consolidated)

Defendant.

- x

In re

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BERNARD L. MADOFF,

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Debtor.

1

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IRVING H. PICARD, Trustee for the
Liquidation of Bernard L. Madoff Investment
Securities LLC.,

Adv. Pro. No. 10-04354 (SMB)

Plaintiff,

1

V.

2

FITERMAN INVESTMENT FUND;
VERDEWAY INVESTMENT PARTNERS
LLC; STEVEN FITERMAN, individually, and
in his capacity as General Partner of
FITERMAN INVESTMENT FUND; SUSAN
FITERMAN, individually, and in her capacity
as General Partner of FITERMAN
INVESTMENT FUND; STEVEN C.
FITERMAN LIVING TRUST DATED 1/6/95,
AS AMENDED; SUSAN L. FITERMAN
LIVING TRUST DATED 1/6/95, AS
AMENDED.

Defendants.

- x

DECLARATION OF DANIEL B. BESIKOF

I, DANIEL B. BESIKOF declare as follows:

1. I am Senior Counsel at the law firm of Loeb & Loeb LLP and a member of the Bar of this Court. Pursuant to Local Civil Rule 1.4 of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I submit this declaration in support of the accompanying notice and proposed order substituting Loeb & Loeb LLP for Robins, Kaplan, Miller & Ciresi LLP and Jones & Schwartz P.C., as counsel for defendants Fiterman Investment Fund; Verdeway Investment Partners LLC; Steven Fiterman; Susan Fiterman; Steven C. Fiterman Living Trust Dated 1/6/95, as amended; and Susan L. Fiterman Living Trust dated 1/6/95, as amended (the "Defendants") in the above-captioned action. I also have read Local Bankruptcy Rule 2090-1 of the Local Rules of the United States Bankruptcy Court for the Southern District of New York.

2. The Defendants have requested and consent to this substitution of counsel.

3. It is not expected that any delay or prejudice will result to any party in this proceeding from this substitution of counsel.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
April 12, 2014

By: /s/ Daniel B. Besikof
Daniel B. Besikof